

REMARKS

I. Introduction

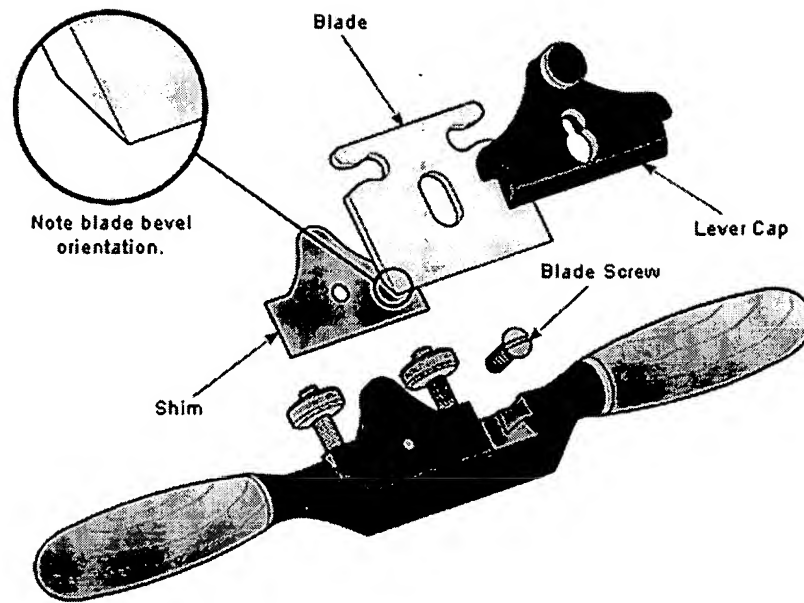
Upon entry of the present amendment, claims 1-14 will be pending in this application. Based on the following remarks, Applicants respectfully request reconsideration and allowance of the pending claims.

II. Rejections based on 35 U.S.C. § 102

The Examiner has rejected claims 1-3, 5, 9, 10, 13 and 14 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 368,003 to Polhemus. Applicants respectfully traverse this rejection and request reconsideration and withdrawal thereof in light of the amendments set forth above.

The claims of the application are directed to a cabinet *scraper* having a blade with two ends. One of the ends of the blade contacts a workpiece during use and the other end is protected by a recessed area on the body of the cabinet scraper. In order to emphasize that claims 1-3, 5, 9, 10, 13 and 14 are directed to a cabinet scraper and a cabinet scraper blade, (and not some other tool or another type of blade) independent claims 1, 9 and 14 have been amended to require a “cabinet scraper blade.”

Polhemus is directed to a *spokeshave*, as evidenced by its title (“Spokeshave”). There are fundamental differences between a spokeshave and a scraper. A spokeshave has a conventional sharpened spokeshave blade that cuts in the same manner as a plane with the blade moving in a direction opposite to its tilt. See Fig. 2 of *Polhemus*. The following illustration clearly shows (within the enlarged circle) the chisel shape of the cutting arris of a spokeshave blade.



As these illustrations show below, the spokeshave is pulled or pushed in the direction opposite the way the blade leans so that the blade arris cuts into the workpiece like a chisel or conventional bench plane blade.

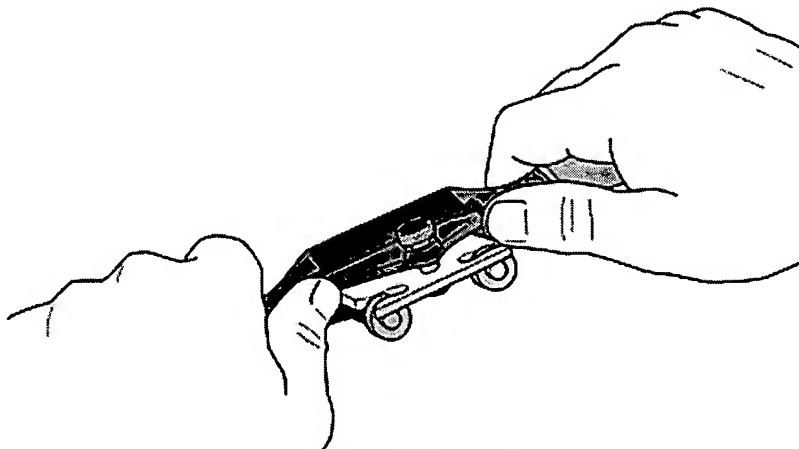


Figure 4: *Pushing grip.*

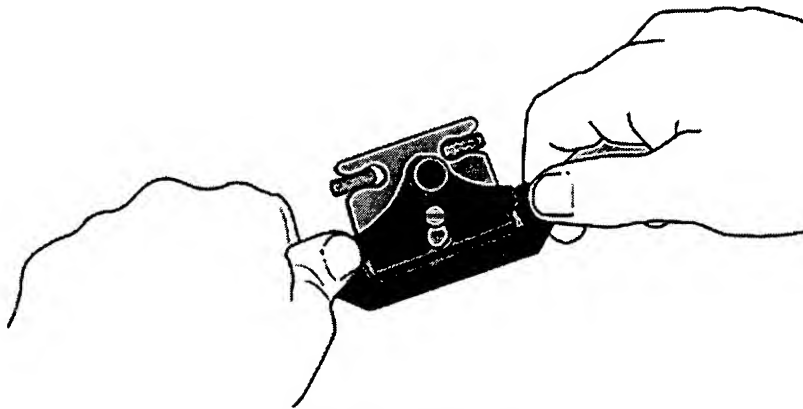
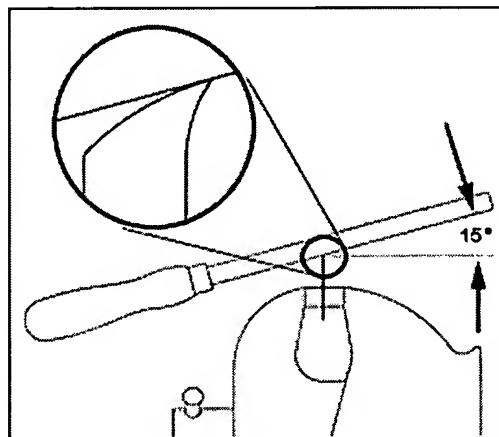
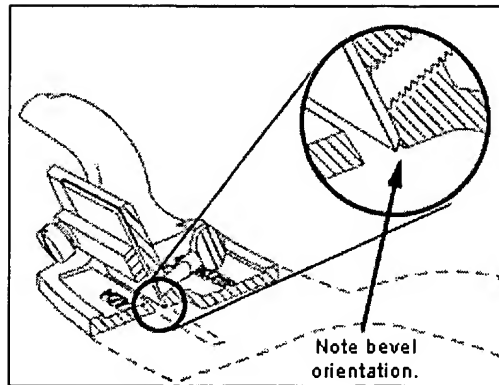


Figure 5: *Pulling grip.*

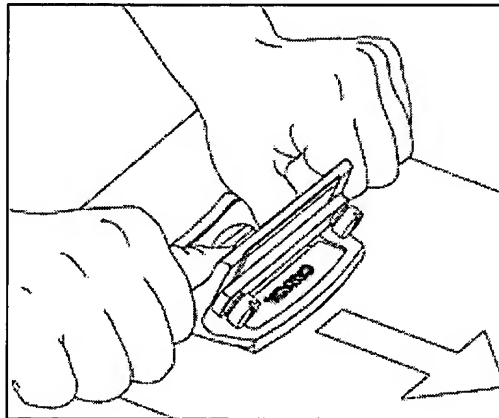
The pending application, on the other hand, is directed to a scraper having a conventional scraper blade with a cutting edge shaped like a hook or burr that slices, lifts and curls a continuous shaving of wood. Here is an illustration of formation of a scraper blade hook with the shape of that hook shown in the enlarged circle:



Here is an illustration of the position of the scraper blade of this invention when the tool is assembled:



The blade in a scraper moves in the same direction as its tilt. See Fig. 2 of the application and the following illustration of a the scraper of this invention in use, illustrating that the tool moves in the same direction that the blade leans:



To anticipate a claim, a reference must teach each and every element of the claim, either expressly or inherently. See M.P.E.P. § 2131. Applicants respectfully submit that *Polhemus* does not teach every element of the claims because *Polhemus* is a spokeshave and uses a spokeshave blade, and claims 1-3, 5, 9, 10, 13 and 14, as amended, are directed to a cabinet scraper and require a cabinet scraper blade.

III. Rejections based on 35 U.S.C. § 103

The Examiner has rejected claims 4 and 11 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 368,003 to Polhemus. Applicants respectfully traverse these rejections and request reconsideration and withdrawal thereof.

The Examiner has rejected claims 7 and 8 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 368,003 to Polhemus in view of U.S. Patent No. 1,098,706 to Bodmer. Applicants respectfully traverse these rejections and request reconsideration and withdrawal thereof.

To establish a *prima facie* case of obviousness, three criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references when combined must teach or suggest all the claim limitations. See M.P.E.P. § 2142.

As explained above, *Polhemus* is directed to a spokeshave. Due to the fundamental differences between a spokeshave and a scraper, one with skill in the art would not be motivated to modify the spokeshave of *Polhemus* in an attempt to achieve the claimed scraper. Even if modified as the Examiner suggests, *Polhemus* does not teach the claim limitations. Even if multiple screws were used to secure the clamping plate (K) of *Polhemus* to the body (D), *Polhemus* does not describe a cabinet scraper, as required by the claims.

For similar reasons, one with skill in the art would not be motivated to modify *Polhemus* in view of *Bodmer*. *Bodmer* describes a scraper and thus, one with skill in the art

would not be motivated to modify the spokeshave of *Polhemus* in view of the scraper of *Bodmer*. This is particularly clear when the differences between spokeshave blades and scraper blades are considered. Spokeshave blades are flat and are not bowed when used. In fact, it is not clear that the blade of *Polhemus* could be bowed. Scraper blades are generally thinner than spokeshave blades to allow introduction of camber.

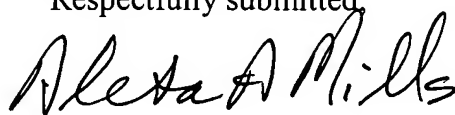
In summary, nothing in the references teaches or suggests a cabinet scraper having a blade with two ends wherein one of the ends contacts a workpiece during use and the other end is protected by a recessed area on the body of the cabinet scraper, as required by the claims. Applicants respectfully submit that the claims are not rendered obvious by either *Polhemus* or *Bodmer*.

CONCLUSION

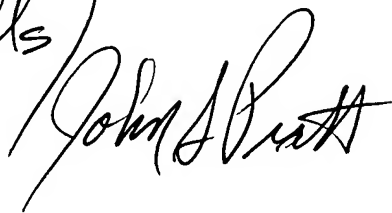
In light of the amendments and the above remarks, the application is now in condition for allowance. Such action is respectfully requested.

If the Examiner believes any informalities remain in the application that may be corrected by Examiner's Amendment, or there are any other issues that can be resolved by telephone interview, a telephone call to the undersigned attorney at (404) 815-6409 is respectfully solicited.

Respectfully submitted,



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